

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STEVEN J. RUSCH and LORIE A.
RUSCH,

Plaintiff,

v.

GARY McCARTAN,

Defendant.

ORDER

12-cv-521-wmc

The court held a telephonic status conference today at which all parties appeared personally.¹ During that conference, the parties agreed to a binding settlement of their entire dispute whereby defendant agreed to pay plaintiffs \$3,388.00 within 60 days in exchange for plaintiffs' agreement to a dismissal of all claims against him with prejudice. Accordingly,

IT IS ORDERED that:

- 1) plaintiffs Steven J. Rusch and Lorie A. Rusch's claims against defendant Gary McCartan are dismissed *without* prejudice at this time; and
- 2) defendant shall certify to the court once payment has been made, at which time, the clerk of court will enter judgment dismissing all claims *with* prejudice.

Entered this 12th day of February, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge

¹ The court has subject matter jurisdiction over this action because the parties are citizens of different states (Kentucky and Wisconsin) and, from the face of the complaint at least, the amount in controversy exceeds \$75,000. *See Grinnell Mut. Reinsurance Co. v. Haight*, 697 F.3d 582, 585 (7th Cir. 2012) (explaining that the amount in controversy is met unless recovery is "legally impossible").